REMARKS

In the Office Action of January 16, 2009, the Examiner rejected claims 1, 6-16, 19-22, and 25 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Goldman et al. (U.S. Patent No. 7,051,351) ("Goldman") in view of Aras at al. (U.S. Patent No. 5,872,588) ("Aras") and Yuen et al. (U.S. Patent No. 5,995,092) ("Yuen"), and further in view of Rosser (U.S. Patent No. 6,446,261); rejected claims 2, 5, and 17 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Goldman, Aras, Yuen, and Rosser, in view of Khoo et al. (U.S. Patent No. 6,434,747) ("Khoo"); rejected claim 18 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Goldman, Aras, Yuen, and Rosser, in view of Herz et al. (U.S. Patent No. 5,754,939) ("Herz"); and rejected claims 23 and 24 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Goldman, Aras, Yuen, and Rosser, in view of Campbell et al. (U.S. Patent No. 4,536,791) ("Campbell").

Claims 1, 2, and 5-25 are currently pending, with claims 1, 6, 7, 8, 16, and 17 being independent claims. Claims 1, 5-8, 16, 17, 23, and 24 are hereby amended.

Applicant respectfully traverses the rejection of claims 1, 6-16, 19-22, and 25 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Goldman in view of Aras and Yuen and further in view of Rosser.

Claim 1 recites, for example, "[a]n information processing apparatus for delivering contents data via a network to another apparatus, wherein the contents data includes video contents data" comprising, *inter alia*:

> first registration means for registering general additional information regarding said contents data for each of two or more segments, scenes, or objects included in said contents data . . . ;

second registration means for registering individual additional information of said contents data on the basis of at least said contents data for each of the two or more segments, scenes, or objects included in said contents data . . . ,

extraction means for extracting said general additional information and said individual additional information stored in said storage means if a delivery request for said contents data is received from the other apparatus . . . ,

generation means for generating individual data to be transmitted to said other apparatus from said general additional information and said individual additional information extracted by said extraction means as a data file including metadata; and

transmission means for transmitting said contents data and said data file via said network to said other apparatus, to enable, for said video contents data, each segment, scene, or object of the two or more segments, scenes, or objects of said video contents data to be simultaneously displayed with said general additional information and said individual additional information for that segment, scene, or object, on a display screen at said other apparatus,

wherein said transmission means is configured to deliver said contents data together with said data file in response to a request generated by said other apparatus.

Goldman discloses a system for inserting advertisements into an information document displayed to a user, wherein the selection is based at least in part on television programming viewed by the user. *See* Goldman, Abstract. More specifically, Goldman discloses a system for displaying television programming and separately viewing information documents (such as Web pages or HTML documents), wherein the system monitors the television programs viewed by the user and selects advertisements to insert into the web pages based on the television programs viewed. *See, e.g.,* Goldman, col. 6, ll. 2-11; col. 7, ll. 56-60; col. 8, ll. 37-61; col. 9, ll. 40-45.

Yuen discloses a television subscription service, wherein certain information may be included in a television signal, such that a television program may be viewed along with a television program guide. *See, e.g.,* Yuen, Abstract; col. 3, ll. 36-39; col. 10, ll. 3-57.

Aras discloses a method of content-coding audio video streams according to audio video stream identifiers and identifiers of portions of the audio video stream, and further discloses collecting viewing behavior information based on the identifiers. *See, e.g.,* Aras, cols. 7-11.

Rosser discloses a method of inserting targeted advertisements into video broadcasts, wherein the advertisements may be inserted, for example, into the vertical blanking interval of the video signal. *See, e.g.,* Rosser, Title; col. 6, ll. 52-54. The advertisements may be inserted at a time, such as conventional advertising break, when a viewer changes channel, or when a particular image or scene is in view. *Id.* at col. 13, ll. 25-37.

None of Goldman, Aras, Yuen, or Rosser, either alone or in combination, disclose or render obvious the claimed information processing apparatus. Claim 1 recites a number of elements. For example, claim 1 recites registration means for registering general additional information "regarding" contents data and for registering individual additional information "on the basis of" the contents data. Claim 1 further recites generation means for generating individual data from the general additional information and the individual additional information "as a data file" so that the data file and the contents data may be delivered together and displayed together on a display.

In the claim rejections, the Examiner treats the "advertisement" information in the cited references as the "individual additional information." *See* Office Action at 3-6. However, in none of the cited reference, either alone or in combination, is an advertisement (e.g., individual additional information) registered "on the basis of the contents data," included in a "data file" with general additional information, and delivered

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"together" and "simultaneously displayed" with the contents data and general additional information on a display, as recited in claim 1.

Notably, the cited prior art discloses transmitting individual additional information (e.g., advertisements) *separately* from the contents data and/or any general additional information associated with video contents data. *See, e.g.,* Goldman at col. 9, ll. 40-62 (describing inserting an advertisement in an HTML page, but failing to describe transmitting a data file including the advertisement *and* registered and extracted general additional information about the contents data together with the contents data); *see also,* Rosser at col. 13, ll. 12-37 (describing receiving requested video and advertisements from different sources, and failing to describe transmitting a data file including the advertisement *and* registered and extracted general additional information about the contents data, and thus failing to disclose transmitting the recited data file together with the contents data); *see also,* Yuen at Fig. 10, col. 10, l. 51 - col. 11, l. 10 (describing that a promotional message may be transmitted "after a short time" after any content or general information is sent).

In addition, the cited references also do not disclose or suggest *registering* advertisement information *on the basis of the contents data*. Instead, the advertisements disclosed in the cited references are separately created, not based on particular contents data (e.g., advertisements in Goldman are determined based on user behavior (*see, e.g.,* Goldman, col. 7, ll. 56-60); advertisements in Rosser depend on a user profile (*see, e.g.,* col. 12, l. 3 - col. 13, l. 63); promotional message in Yuen does not relate to specific contents data (*see, e.g.,* Yuen, Fig. 10)).

Furthermore, claim 1 recites registering means for registering the general additional information and individual additional information "for each of two or more segments, scenes, or objects included in said contents data." None of the cited references disclose such registering means.

For at least these reasons, the combination of Goldman, Yuen, Aras, and Rosser, fails to disclose or render obvious all of the elements of claim 1. Accordingly, the rejection of claim 1 under 35 U.S.C. § 103(a) should be withdrawn, and the claim allowed.

Independent claims 6, 7, 8, and 16, though of different scope from claim 1, recite similar elements to claim 1. Therefore, for reasons similar to those described above in connection with claim 1, the rejection of claims 6, 7, 8, and 16 under 35 U.S.C. § 103(a) should be also withdrawn and the claims allowed.

Claims 9-15, 19-22, and 25 depend from one of these independent claims. Accordingly, the rejection of claims 9-15, 19-22, and 25 should be withdrawn and the claims allowed.

Applicant respectfully traverses the rejection of claims 2, 5, and 17 as allegedly being unpatentable over Goldman in view of Aras, Yuen, Rosser, and Khoo; claim 18 as allegedly being unpatentable over Goldman, in view of Aras, Yuen, Rosser, and Herz; and claims 23 and 24 as allegedly being unpatentable over Goldman, in view of Aras, Yuen, Rosser, and Campbell.

Claims 2, 18, 23, and 24 depend from claim 1 and therefore include all of the recitations of claim 1. As discussed above, a *prima facie* showing of obviousness has not been made in rejecting claim 1 in view of Goldman, Aras, Yuen, and Rosser.

Furthermore, none of <u>Khoo</u>, <u>Herz</u>, or <u>Campbell</u> repair any of the deficiencies of <u>Goldman</u>, <u>Aras</u>, <u>Yuen</u>, or <u>Rosser</u>. As such, Applicant requests that the rejection of claims 2, 18, 23, and 24 be withdrawn, and the claims be allowed.

Independent claim 17, though of different scope from claim 1, recites similar elements to claim 1. As described above, <u>Khoo</u> fails to cure the deficiencies of <u>Goldman</u>, <u>Aras</u>, <u>Yuen</u>, and <u>Rosser</u>. As such, for similar reasons to those discussed above, the Office Action fails to establish a *prima facie* showing of obviousness in rejecting claim 17. Claim 5 depends from claim 17. Therefore, the rejection of claims 5 and 17 under 35 U.S.C. § 103(a) should be withdrawn and the claims allowed.

CONCLUSION

The Office Action contains characterizations of the claims and the related art with which Applicant does not necessarily agree. Unless expressly noted otherwise, Applicant declines to subscribe to any statement or characterization in the Office Action.

If a telephone interview will expedite issuance of this application, the Examiner is requested to call Applicant's representative whose name and registration number appear below, at 202-408-4138 to discuss any remaining issues.

Please grant any extensions of time required to enter this Response and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

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By: /Bradley Edelman/
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